

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Lisa M. Yahner
aka Lisa M. Heyl
Debtor(s)**

Bankruptcy Case No.: 20-20780-TPA
Per June 8, 2020 proceeding
Chapter: 13
Docket No.: 34 - 25
Concil. Conf.: 9/10/20 at 01:00 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(I.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated May 6, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1948.00 as of June 2020. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. *A final plan conciliation conference will be held on 9/10/20 at 01:00 PM, in remotely by the Trustee via Zoom, how to participate: goto www.ch13pitt.com, meetings@chapter13trusteewdpa.com.* If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: IRS (Claim #3) Butler County TCB (Claim #5) .
- H. Additional Terms: The secured claim of the following creditor shall govern as to claim amount, to be paid at the modified plan terms: Toyota (Cl #12)

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.P.A.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

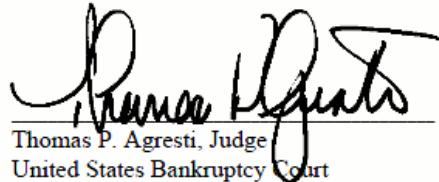
D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

- A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.
- B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).
- C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.
- D. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.
- E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.
- F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any *secured claim* that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: June 11, 2020



Thomas P. Agresti, Judge
United States Bankruptcy Court

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Lisa M. Yahner
 Debtor

Case No. 20-20780-TPA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: lmar
Form ID: 149Page 1 of 2
Total Noticed: 47

Date Rcvd: Jun 11, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 13, 2020.

db +Lisa M. Yahner, 164 Merritt Drive, Butler, PA 16001-2623
 cr +NexTier Bank, N.A., 101 E Diamond St, Suite 110, Butler, PA 16001-5943
 cr +Peoples Gas Company LLC, f/k/a Peoples TWP LLC, c/o S. James Wallace, P.C.,
 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
 15209367 American Express Legal, PO Box 278, Ramsey, NJ 07446-0278
 15227565 American Express National Bank, c/o Becket and Lee LLP, PO Box 3001,
 Malvern PA 19355-0701
 15209369 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bank of America, PO Box 982234, El Paso, TX 79998-2234)
 15221822 +Bank of America, N.A., P O Box 982284, El Paso, TX 79998-2284
 15209370 Bash Family Practice, PLLC, 200 Renaissance Drive, Suite 403, Butler, PA 16001-7612
 15209371 Butler County Tax Claim Bureau, PO Box 1208, Butler, PA 16003-1208
 15209372 Butler Imaging & Interventional Assoc., 7 Acee Drive, Natrona Heights, PA 15065-9700
 15209373 +Butler Memorial Hospital, Attn: Patient Accounts, One Hospital Way,
 Butler, PA 16001-4697
 15226813 Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 15209375 Central PA Asthma & Allergy Care, 800 South Logan Blvd, Suite 3200,
 Hollidaysburg, PA 16648-3050
 15209378 +Citi Simplicity Card, PO Box 6500, Sioux Falls, SD 57117-6500
 15209379 +D&A Services, 1400 E. Touhy Ave, Suite G2, Des Plaines, IL 60018-3338
 15209380 Dynamic Recovery Solutions, PO Box 25759, Greenville, SC 29616-0759
 15229678 +JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A.,
 c/o Robertson, Anschutz & Schneid, P.L., 6409 Congress Avenue, suite 100,
 Boca Raton, FL 33487-2853
 15214580 NextTier Bank, N.A., c/o Maureen A. Dowd, Esquire, Grenen & Birsic, PC,
 One Gateway Center, 9th Floor, Pittsburgh, PA 15222
 15209385 PNC Bank, PO Box 3429, Pittsburgh, PA 15230-3429
 15238584 +PNC Bank NA, Bankruptcy Department, PO BOX 94982, Cleveland, OH 44101-4982
 15223765 +Peoples Gas Company LLC, f/k/a Peoples TWP, c/o S. James Wallace, P.C.,
 845 N. Lincoln Ave., Pgh, PA 15233-1828
 15209392 +TRS Recovery Services, Inc., 1600 Terrell Mill Rd, Marietta, GA 30067-8302
 15209388 Telemedicine LLC, 6100 W Plano Pkwy Ste 3200, Plano, TX 75093-8361
 15209389 +Torres Credit Services, Inc., PO Box 189, Carlisle, PA 17013-0189
 15209390 +Toyota Financial Services, PO Box 9786, Cedar Rapids, IA 52409-0004
 15230515 +Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013
 15209393 Wells Fargo Bank N.A., PO Box 522, Des Moines, IA 50306-0522
 15232728 Wells Fargo Bank, N.A., PO Box 10438, MAC F8235-02F, Des Moines, IA 50306-0438
 15209394 Wells Fargo Bank, N.A., PO Box 5132, Sioux Falls, SD 57117-5132

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 12 2020 03:36:42
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15209368 +E-mail/Text: legal@arsnational.com Jun 12 2020 03:29:51 ARS National Services, Inc.,
 PO Box 469046, Escondido, CA 92046-9046
 15209374 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jun 12 2020 03:34:48 Capital One,
 PO Box 30285, Salt Lake City, UT 84130-0285
 15227192 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jun 12 2020 03:36:38
 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083,
 Charlotte, NC 28272-1083
 15210622 +E-mail/Text: bankruptcy@cavps.com Jun 12 2020 03:30:30 Cavalry SPV I, LLC,
 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-2321
 15209381 E-mail/Text: exf@tir.com Jun 12 2020 03:30:17 Executive Financial Co., PO Box 1168,
 Flint, MI 48501-1168
 15209382 E-mail/Text: sbse.cio.bnc.mail@irs.gov Jun 12 2020 03:29:47 Internal Revenue Service,
 Centralized Insolvency Operations, PO Box 7346, Philadelphia, PA 19101-7346
 15239884 E-mail/Text: JCAP_BNC_Notices@jcicap.com Jun 12 2020 03:30:25 Jefferson Capital Systems LLC,
 Po Box 7999, Saint Cloud Mn 56302-9617
 15209377 E-mail/PDF: ais.chase.ebn@americaninfosource.com Jun 12 2020 03:36:34 Chase, PO Box 15298,
 Wilmington, DE 19850-5298
 15209376 E-mail/PDF: ais.chase.ebn@americaninfosource.com Jun 12 2020 03:36:34 Chase, PO Box 15299,
 Wilmington, DE 19850-5299
 15209383 E-mail/Text: bncnotices@becket-lee.com Jun 12 2020 03:29:43 Kohl's, PO Box 3043,
 Milwaukee, WI 53201-3043
 15209384 E-mail/Text: rfcnrich@thebank.com Jun 12 2020 03:30:34 NextTier Bank, PO Box 1232,
 Butler, PA 16003
 15209580 +E-mail/PDF: gecscedi@recoverycorp.com Jun 12 2020 03:34:40 Synchrony Bank,
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15240233 +E-mail/PDF: gecscedi@recoverycorp.com Jun 12 2020 03:35:28 Synchrony Bank,
 c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
 15209386 E-mail/PDF: gecscedi@recoverycorp.com Jun 12 2020 03:34:40 Synchrony Bank/PayPal,
 Attn: Bankruptcy Dept., PO Box 965060, Orlando, FL 32896-5060
 15209387 E-mail/PDF: gecscedi@recoverycorp.com Jun 12 2020 03:36:29 Synchrony Bank/Sams Club,
 Attn: Bankruptcy Dept, PO Box 965060, Orlando, FL 32896-5060

District/off: 0315-2

User: lmar
Form ID: 149

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Total Noticed: 47

Date Rcvd: Jun 11, 2020

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center
(continued)

15209391 E-mail/Text: CollectionsCompliance@firstdata.com Jun 12 2020 03:31:01
TRS Recovery Services, Inc., PO Box 60022, City of Industry, CA 91716-0022
15234472 E-mail/PDF: EBN_AIS@AMERICANINFO SOURCE.COM Jun 12 2020 03:47:59 Verizon,
by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457

TOTAL: 18

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Toyota Motor Credit Corporation
15214579* ++NEXTIER BANK, SPECIAL ASSETS, 245 PITTSBURGH RD, BUTLER PA 16001-3883
(address filed with court: NexTier Bank, N.A., 101 E. Diamond Street, Suite 101,
Butler, PA 16001)

TOTALS: 1, * 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 13, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 11, 2020 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Toyota Motor Credit Corporation bkgroup@kmllawgroup.com
Maureen A. Dowd on behalf of Creditor NexTier Bank, N.A. mdowd@grenenbirsic.com,
mcupec@grenenbirsic.com
Michael S. Lazaroff on behalf of Debtor Lisa M. Yahner butlerdebtlaw@zoominternet.net,
alliedmilitary@berlin.com;lazaroffmr67241@notify.bestcase.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteeewdpa.com
S. James Wallace on behalf of Creditor Peoples Gas Company LLC, f/k/a Peoples TWP LLC
sjw@sjwpgh.com, srk@sjwpgh.com;PNGbankruptcy@peoples-gas.com

TOTAL: 6